This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-44.   (Cancelled)

45.   (Previously Presented)   A head end device for use in a hierarchical network, the device comprising a classifier connectable to a source of content and operable to place the content into at least one of a plurality of hierarchically modulated simultaneously transmitted data streams which respectively have a different priority assigned to the contents therein corresponding to a particular class of the content.

46.   (Previously Presented)   A device as claimed in claim 45, wherein a classification of content is made in accordance with a data type of the content.

47.   (Previously Presented)   A device as claimed in claim 46, wherein the classifier is connectable to a data stream of content in the form of data elements and a splitter is connected to the output of the classifier wherein the classifier identifies the data type of each element of the data streams and inserts a marker into said data streams indicative of a priority assigned to the element such that splitter subsequently places each data element, in accordance with the marker, into a corresponding hierarchical transport stream for subsequent transmission by the network.

48.   (Previously Presented)   A device as claimed in claim 46, further including a connection to a look-up table accessible in use by the classifier, the table comprising a set of profiles, each profile including at least one definition of a priority for a particular data type wherein a selection by the classifier of a particular profile for identifying the data type of each element is determined by the network.

49.   (Previously Presented)   A device as claimed in claim 45, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criterion.

50.   (Previously Presented)   A method of transmitting content in a hierarchical network comprising classifying content received for transmission and placing the content into at least one of a plurality of hierarchically modulated simultaneously transmitted data streams which respectively have a different priority assigned to the content corresponding to the classification of the content.

51.   (Previously Presented)   A method as claimed in claim 50, including defining a data stream for a particular classification.

52.   (Previously Presented)   A method as claimed in claim 51, including establishing a set of profiles, each of which includes at least one definition of a data stream for a particular classification wherein a selection of a particular profile is determined by the network.

53.   (Previously Presented)   A method as claimed in claim 52, wherein the network determines the selection of a profile on a basis of an intended recipient of the content.

54.   (Previously Presented)   A method as claimed in claim 52, wherein the network determines the selection of a profile on the basis of a service providing said content.

55.   (Previously Presented)   A method as claimed in claim 52, wherein the network determines the selection of a profile on a basis of network load.

56.   (Previously Presented)   A system for delivering content over a hierarchical network, comprising a source of content deliverable, to a network, the network including head end equipment operable to place content into at least one of a plurality of selected hierarchically modulated data streams for simultaneous transmission by a transmitter, and a terminal operable to receive the data stream, wherein the head-end equipment classifies the content and in accordance with the classification places it into the corresponding hierarchically modulated data streams for simultaneous transmission which respectively have a different priority assigned to the content.

57.   (Previously Presented)   A system as claimed in claim 56, wherein the terminal provides a return channel connectable, in use, to the network, such that a request for a delivery of content may be originated by the terminal.

58.   (Previously Presented) A system as claimed in claim 56, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criteria.

59.   (Previously Presented) A method of delivery of content to a terminal in a network having a plurality of hierarchically modulated simultaneously transmitted data streams, the method comprising receiving a request for the content, passing said request to a network gateway and subsequently receiving content identified in the request in a form of at least one content element, classifying the at least one content element, assigning a priority to the at least one content element in accordance with the classification and assigning the content element to the hierarchically modulated simultaneously transmitted data streams related to the priority assigned to the content.

60.   (Previously Presented) A method as claimed in claim 59, wherein a user identity is identified from the request and a corresponding user profile is obtained in accordance with which profile priority is assigned to the at least one content element.

61.   (Previously Presented) A method as claimed in claim 59, wherein the request is received in a return channel established by a terminal of a public land mobile network via a public switched telephone network and the content element is delivered over a broadband broadcast network.

62.   (Previously Presented)   A method as claimed in claim 59, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criteria.

63.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with the code to carry out the method according to claim 59.

64.   (Previously Presented)   A program as claimed in claim 63, stored on a computer readable medium.

65.   (Previously Presented)   A device as claimed in claim 47, further including a connection to a look-up table accessible in use by the classifier, the table comprising a set of profiles, each of which includes at least one definition of a priority for a particular data type wherein a selection by the classifier of a particular profile for identifying a data type of each element is determined by the network.

66.   (Previously Presented)   A method as claimed in claim 51, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criterion.

67.   (Previously Presented)   A method as claimed in claim 52, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criterion.

68.   (Previously Presented)   A method as claimed in claim 53, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criterion.

69.   (Previously Presented)   A method as claimed in claim 54, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criterion.

70.   (Previously Presented)   A method as claimed in claim 55, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criterion.

71.   (Previously Presented)   A method as claimed in claim 51, wherein the network is a terrestrial digital video broadcast network (DVB-T).

72.   (Previously Presented)   A method as claimed in claim 52, wherein the network is a terrestrial digital video broadcast network (DVB-T).

73.   (Previously Presented)   A method as claimed in claim 53, wherein the network is a terrestrial digital video broadcast network (DVB-T).

74.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 50.

75.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 51.

76.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 52.

77.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 53.

78.   (Previously Presented)   A system as claimed in claim 57, wherein said hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criteria.

79.   (Previously Presented)   A method as claimed in claim 59, wherein said request is received in a return channel established by a terminal of a public land mobile network via a public switched telephone network and the content element is delivered over a broadband broadcast network.

80.   (Previously Presented)   A method as claimed in claim 59, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criteria.

81.   (Previously Presented)   A method as claimed in claim 60, wherein the hierarchically modulated simultaneously transmitted data streams are ranked in accordance with a predetermined criteria.

82.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with the code to carry out the method according to claim 59.

83.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with the code to carry out the method according to claim 60.

84.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with the code to carry out the method according to claim 61.

85.   (Previously Presented)   A method as claimed in claim 54, wherein the network is a terrestrial digital video broadcast network (DVB-T).

86.   (Previously Presented)   A method as claimed in claim 62, wherein the network is a terrestrial digital video broadcast network (DVB-T).

87.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 71.

88.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 54.

89.   (Previously Presented)   A computer program comprising executable code for execution when loaded on a computer, wherein the computer is operable in accordance with said code to carry out the method according to claim 55.

90.   (Previously Presented) A program as claimed in claim 66 stored on a computer readable
medium.

91.   (Previously Presented) A program as claimed in claim 73 stored on a computer readable
medium.

92.   (Previously Presented) A program as claimed in claim 74 stored on a computer readable
medium.

93.   (Previously Presented) A program as claimed in claim 75 stored on a computer readable
medium.

94.   (Previously Presented) A program as claimed in claim 76 stored on a computer readable
medium.

95.   (Previously Presented) A program as claimed in claim 77 stored on a computer readable
medium.

96.   (Previously Presented) A program as claimed in claim 82 stored on a computer readable
medium.

97.   (Previously Presented) A program as claimed in claim 83 stored on a computer readable medium.

98.   (Previously Presented) A program as claimed in claim 84 stored on a computer readable medium.

99.   (Previously Presented) A program as claimed in claim 88 stored on a computer readable medium.

100.   (Previously Presented) A program as claimed in claim 89 stored on a computer readable medium.